



TAX EXEMPT AND
GOVERNMENT ENTITIES
DIVISION

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

APR 22 2014

UNIFORM ISSUE LIST: 412.06-00

T:EP:RAIT3

Re: Request for Waiver of Minimum Funding Standard for the
***** Defined Benefit Plan (the "Plan").
Plan No.. 001

Company =
EIN =

Dear ,

This letter constitutes notice that your request for a waiver of the required minimum funding contribution for the Plan for the plan year ending December 31, 2012 has been granted subject to the conditions listed below. This waiver is for the unpaid minimum required contribution for the above listed plan year; all waiver amortization payments representing the waiver must be paid as stated under section 430(e) of the Internal Revenue Code (the "Code").

1. Quarterly contributions shall be made in an amount not less than \$75,000 until such time as the minimum funding requirements for the 2014 plan year are met. Starting with the quarterly contribution due October 15, 2015, the Company makes the required quarterly contributions to the Plan in a timely fashion while the Plan is subject to the minimum funding standard. For this purpose, the total amount of each quarterly contribution will be determined in accordance with section 430(j)(3)(D) and section 430(j)(3)(E) of the Code and can be comprised of several installments made prior to the respective due date of the quarterly contribution.
- 2 The Company makes contributions to the Plan in amounts sufficient to meet the minimum funding requirements for the Plan for the plan years ending December 31, 2013 through December 31, 2017 on or before September 15th of the year following each respective plan year.

3. Under section 412(c)(7) of the Code, the Company is restricted from amending the Plan to increase benefits and/or Plan liabilities while any of the waived funding deficiency remains unamortized, with only certain exceptions as defined in section 412(c)(7)(B).
4. The Company provides verification of payment of all contributions described above in a timely manner to the Internal Revenue Service at:

IRS-EP Classification

400 North Eighth Street, Room 480
Richmond, VA 23219

You agreed to these conditions in a letter dated September 4, 2013. If any of these conditions are not satisfied the waiver will be retroactively null and void.

This conditional waiver has been granted in accordance with section 412(c) of the Code and section 302 of the Employee Retirement Income Security Act of 1974 ("ERISA").

The Company is a non-profit organization dedicated to supporting children and their families. The Company obtains substantially all of its income from federal government grants. The temporary financial hardship was brought about by an error made by the prior actuary. This prior actuary underestimated the minimum required contribution for the 2011 plan year with the result that, at the time the error was discovered, funds which had been budgeted for the 2012 plan year had to be applied to 2011. Payment of the minimum required contribution for the 2012 plan year would create temporary substantial business hardship as described in section 412(c)(1)(A)(i) of the Code.

Your attention is called to section 412(c)(7) of the Code and section 302(c)(7) of ERISA which describe the consequences that would result in the event the Plan is amended to increase benefits, change the rate in the accrual of benefits or to change the rate of vesting, while any portion of the waived funding deficiency remains unamortized. Please note that any amendment to a profit sharing plan or any other retirement plan (covering employees covered by this Plan) maintained by the Company, to increase benefits, or any action by the Company or its authorized agents or designees (such as a Board of Directors or Board of Trustees) that has the effect of increasing the liabilities of those plans, would be considered an amendment for purposes of section 412(c)(7) of the Code and section 302(c)(7) of ERISA. Similarly, the establishment of a new profit sharing plan or any other retirement plan by the Company (covering employees covered by this Plan) would be considered an amendment for purposes of section 412(c)(7) of the Code and section 302(c)(7) of ERISA.

This ruling is directed only to the taxpayer that requested it. Section 6110(k)(3) of the Code provides that it may not be used or cited by others as precedent.

When filing Form 5500 for the plan year ending December 31, 2012, the date of this letter should be entered on Schedule SB (Actuarial Information). For this reason, we suggest that you furnish a copy of this letter to the enrolled actuary who is responsible for the completion of the Schedule SB.

We have sent a copy of this letter to the Manager, EP Classification in Baltimore, Maryland and to the Manager, EP Compliance Unit in Chicago, Illinois.

If you wish to inquire about this ruling please contact *****. Please address all correspondence to SE:T:EP:RA:T2.

Sincerely,



William B. Hulteng, Manager
Employee Plans Technical

Enclosures:

Deleted Copy of Letter Ruling
Notice of Intention to Disclose